

**IN THE UNITED STATES PATENT AND TRADEMARK OFFICE**

In re Letters Patent of:  
Dixit et al.

Docket No.: PF335D2

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Patent No.: 6,890,721

JUL 11 2005

Issued: May 10, 2005

For: Interleukin-1 Beta Converting Enzyme Like  
Apoptotic Protease-6

**REQUEST FOR RECONSIDERATION OF PATENT TERM ADJUSTMENT**  
**UNDER 37 C.F.R. § 1.705(d)**

MS Petition  
Commissioner for Patents  
P.O. Box 1450  
Alexandria, VA 22313-1450

Sir:

Patentees hereby request reconsideration of the patent term adjustment (PTA) indicated on the face of U.S. Patent No. 6,890,721 B1 (the '721 Patent), and in the PAIR data for this patent. In particular, both the patent document and PAIR indicate 194 days of patent term adjustment, but Patentees are due 314 days of PTA as described more fully below.

This request is timely filed under 37 C.F.R. § 1.705(d) as it is being submitted by the first business day two months after the May 10, 2005 issue date of the '721 patent. The requirements of 37 C.F.R. § 1.705(b)(1) are satisfied by the Fee Transmittal Sheet enclosed herewith, authorizing payment of the fee set forth in 37 C.F.R. 1.18(e). The requirements of 37 C.F.R. § 1.705(b)(2) are satisfied by the following statements, as supplemented by the attached Exhibits.

**Eligibility for PTA**

1. The 09/961,201 application (the '201 Application) that matured into the instant patent was filed on September 24, 2001, and thus, pursuant to 37 C.F.R. § 1.702, is eligible for patent term adjustment under 35 U.S.C. § 154.

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## FAX TRANSMISSION

JUL 11 2005

DATE: July 11, 2005

PTO IDENTIFIER: Application Number 09/961,201-Conf. #6537  
Patent Number 6,890,721

Inventor: Dixit et al.

MESSAGE TO: US Patent and Trademark Office

FAX NUMBER: (703) 872-9306

FROM: HUMAN GENOME SCIENCES, INC.

Melissa J. Pytel

PHONE: (301) 610-5764

Attorney Dkt. #: PF335D2

PAGES (Including Cover Sheet): 1

CONTENTS: Request for Reconsideration of Patent Term Adjustment Under 37 C.F.R. 1.705(d) (5 pages)  
Exhibits A and B (11 pages)  
Fee Transmittal (1 page)  
Charge \$200.00 to deposit account 08-3425  
Certificate of Transmission (1 page)

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HUMAN GENOME SCIENCES, INC.

Intellectual Property Dept., 14200 Shady Grove Road, Rockville, Maryland 20850

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Application No. (if known): 09/961,201

Attorney Docket No.: PF335D2

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Request for Reconsideration of Patent Term Adjustment Under 37 C.F.R.

1.705(d) (5 pages)

Exhibits A and B (11 pages)

Fee Transmittal (1 page)

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Effective on 12/08/2004.  
Fees pursuant to the Consolidated Appropriations Act, 2005, R. 487B.**FEE TRANSMITTAL**  
**For FY 2005**☐ Applicant claims small entity status. See 37 CFR**TOTAL AMOUNT OF PAYMENT** (\$) 200.**METHOD OF PAYMENT** (check all that apply)☐ Check ☐ Credit Card ☐ Money Order☒ Deposit Account Deposit Account Number 08-342

For the above-identified deposit account, the

☒ Charge fee(s) indicated below☐ Charge any additional fee(s) or under-  
ment of fee(s) under 37 CFR 1.16 and 1.17☐ None ☐ Other (please identify)

Deposit Account Name Human Genome Sciences, Inc.

Director is hereby authorized to: (check all that apply)

☐ Charge fee(s) indicated below, except for the filing fee☒ Credit any overpayments**FEE CALCULATION****1. BASIC FILING, SEARCH, AND EXAMINATION**

Application Type	FILING FEES		SEARCH FEES		EXAMINATION FEES		Fees Paid (\$)
	Fee (\$)	Small Entity Fee (\$)	Fee (\$)	Small Entity Fee (\$)	Fee (\$)	Small Entity Fee (\$)	
Utility	300	150	500	250	200	100	
Design	200	100	100	50	130	65	
Plant	200	100	300	150	160	80	
Reissue	300	150	500	250	600	300	
Provisional	200	100	0	0	0	0	

**2. EXCESS CLAIM FEES**

Fee Description	Fee (\$)	Small Entity Fee (\$)
Each claim over 20 (including Reissues)	50	25
Each independent claim over 3 (including Reissue)	200	100
Multiple dependent claims	360	180

<u>Total Claims</u>	<u>Extra Claims</u>	<u>Fee (\$)</u>	<u>Fee Paid (\$)</u>	<u>Multiple Dependent Claims</u>
43	-63 =	x		<u>Fee (\$)</u>
				<u>Fee Paid (\$)</u>

<u>Indep. Claims</u>	<u>Extra Claims</u>	<u>Fee (\$)</u>	<u>Fee Paid (\$)</u>
7	-6 =	x	

**3. APPLICATION SIZE FEE**

If the specification and drawings exceed 100 sheets of paper (excluding electronically filed sequence or computer listings under 37 CFR 1.52(c)), the applicant shall pay a fee due is \$250 (\$125 for small entity) for each additional 50 sheets or fraction thereof. See 35 U.S.C. 41(a)(3)(G) and 37 CFR 1.16(s).

<u>Total Sheets</u>	<u>Extra Sheets</u>	<u>Num of each additional 50 or fraction thereof</u>	<u>Fee (\$)</u>	<u>Fee Paid (\$)</u>
	-100 =	/50		
		(round up to a whole number) x		

**4. OTHER FEES(S)**

Non-English Specification, \$130 fee (no small entity discount)

Other (e.g., late filing surcharge) 1455 Filing application for patent term adjustment 200.00

**SUBMITTED BY**Signature   
Name (Print/Type) Melissa J. PytelRegistration No. (Attorney/Agent) 41,512 Telephone (301) 610-5764  
Date July 11, 2005**RECEIVED**  
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